

Sample Written Notice – Manifestation Determination #2

1. Description and explanation of proposed/refused action:

Manifestation determination

IEP team determined that Student's misconduct on [date] was caused by or had a direct relationship to his disability. Propose the student return to school. Team will review and revise the Functional Behavior Assessment and the Behavior Intervention Plan.

2. Reason for proposed or refused action:

Student's eligibility category is Emotional Disturbance due to inappropriate types of behaviors or feelings under normal circumstances. He continuously acts out aggressively when spoken to kindly or in shut down mode. This misconduct included striking out at a paraprofessional while she was trying to encourage him to complete a task that he did not feel that he could complete. Past behaviors have been similar with the student swinging at an adult. This is the first instance that the student physically made contact.

3. Description of evaluation procedure, test, record, or report used in deciding to propose or refuse action:

Sources of information reviewed included Functional Behavior Assessment, Behavior Intervention Plan, evaluations, observations, historical records, current IEP, and parental feedback.

4. Description of other options considered, if any, and the reason for rejecting them:

Team considered that this behavior was not caused by Student's disability; however rejected this due to his expression of this behavior in similar incidences that is related to his emotional disturbance. Team considered revising his behavior plan; however, the current behavior plan addresses this behavior specifically, and data shows that student is making progress with plan.

5. Other factors which are relevant to the proposal or refusal:

Parents were offered a copy of the Notice of Procedural Safeguards.

Parent & Team agree to:

Student returning to school, FBA, and BIP